

FORM PTO-1390 (Modified)  
(REV 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

2128 US2PCT

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

09/926078

INTERNATIONAL APPLICATION NO.  
PCT/JP00/09128INTERNATIONAL FILING DATE  
22 December 2000PRIORITY DATE CLAIMED  
27 December 1999

TITLE OF INVENTION

RADIO COMMUNICATION APPARATUS AND RADIO COMMUNICATION METHOD

APPLICANT(S) FOR DO/EO/US

UGA Shinsuke et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 20 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☐ Certificate of Mailing by Express Mail
23. ☒ Other items or information:

Notice for Consideration of Documents Cited in International Search Report  
 Notice of Priority  
 Drawings (24 sheets)

09/926078 082201

|  |  |   |
|--|--|---|
| U.S. APPLICATION NO. (IF KNOWN, S. 37 CFR)<br><b>09/926008</b> | INTERNATIONAL APPLICATION NO.<br><b>PCT/JP00/09128</b> | ATTORNEY'S DOCKET NUMBER<br><b>212810US2PCT</b> |
|--|--|---|

24. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

- ☐ Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... **\$1000.00**
- ☒ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... **\$860.00**
- ☐ International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... **\$710.00**
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... **\$690.00**
- ☐ International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... **\$100.00**

**ENTER APPROPRIATE BASIC FEE AMOUNT =****\$860.00**Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).**\$0.00**

| CLAIMS             | NUMBER FILED | NUMBER EXTRA | RATE      |
|--------------------|--------------|--------------|-----------|
| Total claims       | 38 - 20 =    | 18           | x \$18.00 |
| Independent claims | 6 - 3 =      | 3            | x \$80.00 |

**\$324.00****\$240.00**Multiple Dependent Claims (check if applicable). ☐**\$0.00****TOTAL OF ABOVE CALCULATIONS =****\$1,424.00**☐ Applicant claims small entity status. (See 37 CFR 1.27). The fees indicated above are reduced by 1/2.**\$0.00****SUBTOTAL =****\$1,424.00**Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).**\$0.00****TOTAL NATIONAL FEE =****\$1,424.00**Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐**\$0.00****TOTAL FEES ENCLOSED =****\$1,424.00**

|                        |      |
|------------------------|------|
| Amount to be: refunded | \$ . |
| charged                | \$   |

- a. ☒ A check in the amount of **\$1,424.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **15-0030**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**Surinder Sachar**  
Registration No. 34,423

**22850**

SIGNATURE

**Marvin J. Spivak**

NAME

**24,913**

REGISTRATION NUMBER

DATE

**Aug. 27 2001**

09/926078

DOCKET NO.: 212810US2PCT

JCO3 Rec'd PCT/PTO 27 AUG 2001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: UGA Shinsuke et al.

SERIAL NO.: NEW U.S. PCT APPLICATION

FILED: HEREWITH

INTERNATIONAL APPLICATION NO.: PCT/JP00/09128

INTERNATIONAL FILING DATE: December 22, 2000

FOR: RADIO COMMUNICATION APPARATUS AND RADIO COMMUNICATION METHOD

**REQUEST FOR CONSIDERATION OF DOCUMENTS**  
**CITED IN INTERNATIONAL SEARCH REPORT**

Assistant Commissioner for Patents

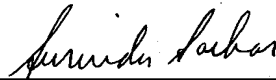
Washington, D.C. 20231

Sir:

In the matter of the above-identified application for patent, notice is hereby given that applicant(s) request that the Examiner consider the documents cited in the International Search Report according to MPEP §609 and so indicate by a statement in the first Office Action that the information has been considered. When the Form PCT/DO/EO/903 indicates both the search report and copies of the documents are present in the national stage file, there is no requirement for the applicant(s) to submit them (1156 O.G. 91 November 23, 1993).

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Marvin J. Spivak  
Attorney of Record  
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(OSMMN 1/97)

DOCKET NO. 212810US2PCT

IN RE APPLICATION OF: UGA Shinsuke et al.

SERIAL NO.: New U.S. PCT Application (Based on PCT/JP00/09128)

FILED: HEREWITH

FOR: RADIO COMMUNICATION APPARATUS AND RADIO COMMUNICATION METHOD

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☐ No additional fee is required.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.
- ☐ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement submitted herewith.
- ☒ Additional documents filed herewith: PCT Transmittal Letter/Notice of Priority  
English Translation of Specification/Request for Consideration/Declaration/Preliminary Amendment  
International Search Report/Check for \$1,424.00/Drawings (24 sheets)

The fee has been calculated as shown below.

| (Col. 1)  |                           | (Col. 2) |  | (Col. 3)         | SMALL ENTITY |                   | OTHER THAN A SMALL ENTITY |                   |
|---|---------------------------|----------|--|------------------|--------------|-------------------|---------------------------|-------------------|
|   | CLAIMS<br>REMAINING AFTER |          | HIGHEST NUMBER<br>PREVIOUSLY PAID<br>FOR | PRESENT<br>EXTRA | RATE         | ADDITIONAL<br>FEE | RATE                      | ADDITIONAL<br>FEE |
| TOTAL   | * 38                      | MINUS    | ** 38                                    | = 0              | X9 =         | \$                | X18 =                     | \$ .00            |
| INDEP   | * 6                       | MINUS    | *** 6                                    | = 0              | X40 =        | \$                | X80 =                     | \$ .00            |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM |                           |          |  |                  | +135=        | \$                | +270=                     | \$                |
| TOTAL   |                           |          |  |                  |              | \$                | TOTAL                     | \$ .00            |

A check in the amount of \$\_\_\_\_\_ is attached.

- XX Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.
- XX If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.



22850

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

*Marvin J. Spivak*  
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Registration No. 24,913  
Surinder Sachar  
Registration No. 34,423

(703) 413-3000

\*If the entry in Column 2 is less than the entry in Column 1 write "0" in Column 3.  
\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 20 write "20" in this space.  
\*\*\*If the "Highest Number Previously paid for" IN THIS SPACE is less than 3 write "3" in this space.

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